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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

<p>HUGO MARTINEZ and CLAUDIA MARTINEZ,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>BUTCH JOHNSON, WILLIAM A. MARK and JOHNSON MARK LLC,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">STATUS OF UNDERLYING CASES</p> <p>Case No.: 2:11-cv-00157-DN</p> <p>Judge:</p> <p>Magistrate Judge: David Nuffer</p>
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In compliance with the March 11, 2011 order by U.S. Magistrate Judge Nuffer, Defendant submits the following status of underlying cases Hugo Martinez v. Capital One Bank, Utah Third District Court Case No. 090913503 and Capital One Bank v. Hugo Martinez, Utah Third District Court Case No. 100907733. The Court in the case of Martinez v. Capitol One set

aside the default judgment and voided the writ of garnishment. In light of these developments, Defendants in this action believe they are in a position to respond to the allegations raised by Plaintiff's complaint and ask that the court lift the stay.

DATED this 9th day of June 2011

**SCALLEY READING BATES
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A handwritten signature in black ink, appearing to read "S. Grace Acosta". The signature is fluid and cursive, with a large initial "S" and a stylized "A" at the end.

S. GRACE ACOSTA
Attorneys for Defendants